

IN THE UNITED STATES DISTRICT COURT FOR THE  
WESTERN DISTRICT OF OKLAHOMA

ALVIN PARKER,	)	
	)	
Plaintiff,	)	
	)	
v.	)	Case No. CIV-08-941-D
	)	
OKLA. DEPT. OF CORRECTIONS, <i>et al.</i> ,	)	
	)	
Defendants.	)	

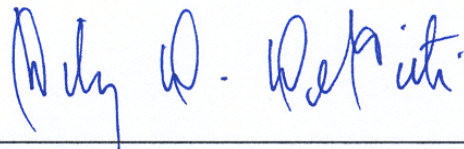
**ORDER OF DISMISSAL**

The Report and Recommendation issued by United States Magistrate Judge Doyle W. Argo pursuant to 28 U.S.C. § 636(b)(1)(B) recommends dismissal of the case without prejudice due to Plaintiff's failure to pay the initial partial filing fee and failure to show cause for his noncompliance with the order requiring a payment pursuant to 28 U.S.C. § 1915(b)(1). Plaintiff has neither filed a timely objection to the Report nor requested additional time to object.

Due to the lack of objection, the Court finds that Plaintiff has waived further review of the Report. For this reason, and because the initial partial filing fee remains unpaid, the Court concurs in Judge Argo's recommendation.

Therefore, the Court adopts the Report and Recommendation [Doc. No. 9] in its entirety. The case is DISMISSED without prejudice to refiling for failure to pay the required fee.

Entered this 1<sup>st</sup> day of December, 2008.



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TIMOTHY D. DEGIUSTI  
UNITED STATES DISTRICT JUDGE